

**Tennessee Ethics Commission**  
**September 11, 2013**  
**Minutes**

The Tennessee Ethics Commission met on Wednesday, September 11, 2013 at 9:00 a.m. at the Bureau of Ethics and Campaign Finance office. Members present were: Jim Stranch, Greg Hardeman, George Jaynes, Keith Norman and Tammy White. Charles Traughber, newly appointed member, attended, but did not participate because the required training by the Attorney General's office had not been completed. Chairman Stranch called the meeting to order.

***August 1, 2013 Minutes***

Mr. Hardeman made the motion to approve the August 1, 2013 minutes. Mr. Jaynes seconded and the motion passed 5-0.

***Show Causes***

*Tom Ingram – 2013-111*

*Marcille Durham – 2013-112*

*Hillsborough Resources – 2013-113*

This matter was carried over from the August 1, 2013 meeting. Dick Lodge, Brant Phillips and Sam Reed attended for Mr. Ingram and Ms. Durham. Hillsborough Resources was represented by Bob Viola of Vitol, and Mike Webster. After discussion, Mr. Norman made the motion to assess \$1,000 penalty against Mr. Ingram, Ms. Durham and Hillsborough Resources. The motion did not receive a second. Mr. Stranch made the motion to dismiss any action based on compliance measures completed by Mr. Ingram, Ms. Durham, and Hillsborough Resources during the last meeting. Mr. Jaynes seconded. The motion failed 3-1-1. Mr. Norman voted no and Mr. Hardeman abstained. The show causes will not appear on an agenda unless requested by a member.

***Lobbyist Audit***

*Jennifer Murphy*

John Lyell, attorney, represented Jennifer Murphy, whose audit finding includes an arrangement for a possible contingency fee, which would be in violation of TCA § 3-6-304(k). Ms. Murphy was in attendance, as was Linda Knight, attorney for the Tennessee Disability Coalition. This matter was carried over from the August 1, 2013 meeting. After discussion, Mr. Norman made the motion to issue a show cause notice and Ms. White seconded. The motion passed 5-0. Mr. Norman made the motion to amend the first motion to also issue a show cause notice to the Tennessee Disability Coalition. Mr. Hardeman seconded and the motion passed 5-0.

### ***Requests for Reconsideration***

*Stan O'Neal – 2010-038*

*Tony Boles – 2008-47 & 2008-47A*

*Carmichael Johnson – 2010-150*

Mr. Norman recused himself from voting because of an acquaintance with Mr. Johnson and did not believe it fair to vote on the other two. Mr. Hardeman made the motion to grant reconsideration and Mr. Jaynes seconded. The motion passed 4-0.

Ms. White made the motion to defer action to give Mr. O'Neal and Mr. Boles an opportunity to file the Statement of Interests. Mr. Jaynes seconded and the motion passed 4-0.

Mr. Hardeman made the motion to waive the \$10,000 penalty against Mr. Johnson because he had recently filed the Statement of Interest. Ms. White seconded and the motion passed 4-0.

### ***Informal Civil Penalty Assessment – Lobbyist***

*Chris Ford – 2013-139*

Mr. Ford appeared before the Commission and explained why he was late paying his registration fee (37 days late). Mr. Norman made the motion to not assess a civil penalty and Ms. White seconded. The motion passed 5-0.

### ***Informal Civil Penalty Assessment – Employer Lobbyist***

*Success with Amazing Grace – 2013-140*

Success with Amazing Grace submitted a statement explaining why the employer registration was not timely filed (5 days late). Ms. White made the motion to not assess a civil penalty and Mr. Jaynes seconded. The motion passed 5-0.

### ***Informal Civil Penalty Assessment – - Local Officeholders***

*Stephanie Watkins – 2013-132*

This matter was carried over from the August 1, 2013 meeting to give Ms. Watkins an opportunity to file the Statement of Interests. Ms. Watkins submitted a statement for consideration at the August 1, 2013 meeting and filed the Statement that day. Mr. Jaynes made the motion to not assess a civil penalty and Mr. Hardeman seconded. The motion passed 5-0.

*James Kenny – 2013-138*

Mr. Kenny submitted a statement for consideration explaining why he had not filed the Statement of Interests. Mr. Hardeman made the motion to defer this matter until the next meeting to give Mr. Kenny the opportunity to file the Statement of Interests. Ms. White seconded and the motion passed 5-0.

***Informal Civil Penalty Assessment – Candidate***

*Howard Eads – 2013-137*

Ms. White made the motion to not assess a civil penalty for late filing (2 days late). Mr. Jaynes seconded and the motion passed 5-0.

***Other Business***

Drew Rawlins, Executive Director of the Bureau, distributed information to the Commission regarding the 2013 COGEL conference.

In other business, Linda Knight spoke to the Commission regarding confidentiality of audit information. She stated that it was her belief that audit information is confidential and could not be released. After discussion, the Commission decided to ask for an advisory opinion from the Attorney General.

There being no other business before the Commission, the meeting adjourned.